

Mr. V. K. Aravindaksha Menon.—Waiting rooms for the litigant public have been provided in Ernakulam, Mattancheri and Vadakkancheri. Vakils' rooms have not been provided in all places. And we shall be constructing such rooms in other courts also this year.

Mr. C. J. Mathew.—No accommodation is ment for vakils? You don't expect to accommodate vakils?

Mr. V. K. Aravindaksha Menon.—Is there any further information wanted?

Mr. C. J. Mathew.—Do you propose to construct more waiting rooms in every court? There was something in the budget.

Dr. A. R. Menon.—What about Trichur? There is not even room for vakils to sit there.

Mr. C. J. Mathew.—Can't you divide the present waiting room by a screen because, as a matter of fact, there is absolute necessity for a place to sit. The bars are crowded and we hardly get places there. No furniture, no benches.

Mr. V. K. Aravindaksha Menon.—If that is so divided, I doubt if there will be sufficient room in the building. Chairs and benches have to be provided by the courts concerned.

Mr. C. J. Mathew.—If you screen it and some of the vakils sit there they have to be given chairs.

Mr. P. Krishan Menon.—Even the whole building will not be sufficient for vakils even, so many vakils.

The resolution was accepted by Government.

(14) Acquisition of lands in Ernakulam Town.

Deputy President.—No. 14. Mr. K. J. Antony.

The following resolution, not being moved, was

considered withdrawn:—

Mr. K. J. Antony.—“This Council do recommend to the Government that when demands are received from foreign capitalists for aquisition of lands within the limits of the Ernakulam Town for industrial or commercial concerns, they should be adviced to deal directly with the owners of such lands and that the Government should not in such matters interfere with private interests of the subjects of the State.”

(15) Town Improvement Trust Act.

Mr. P. Krishna Menon.—My resolution runs thus:—
“This Council recommends to the Government to pass a ‘Town Improvement Trust Act’ in order to facilitate and regulate the growth of towns in the State in accordance with principles of town-planning and sanitation, with provisions enabling the Government to apply the provisions of the said Act to towns or specified areas when and where deemed necessary”.

I am not very confident about the nomenclature that I have suggested for the Regulation that would be passed if this resolution is accepted. I have put it down as the Town Improvement

Trust Act. Whether it is the correct terminology to be used, I am not quite sure.

Deputy President.—Are not the Municipal Rules sufficient for this?

Mr. P. Krishna Menon.—As the Deputy President has moved the question I must say that it is because of the deficiency of provisions in the Municipal Regulation, and the rules framed thereunder, that I am inclined to suggest an enactment of the Regulation which will regulate the growth of towns. I need not go far into the details of this measure. Attempts were made to improve the existing towns, namely Ernakulam as well as Cochin. Now, with regard to Ernakulam, if I remember correctly, an amount of three and a half lakhs of rupees was spent to clearing slum area and to improve those localities. Even in that locality important portions were left out; because there were no funds available. The cost would have been so enormous if they were attempted to be improved. So far as Cochin was concerned it was said that any attempt at improvement was a hopeless concern because the town has grown in such a way that unless the whole town is demolished and a new town is rebuilt there is no hope of improving the sanitation of the locality. In fact the necessity of improvement in sanitation was so great in Cochin that it was said that no attempt need be made as even the germs of epidemic diseases would not thrive in the place because it was so insanitary. Such is the difficulty that is met with in respect of improving existing towns. Now an attempt is being made to bring two other towns also under Municipal administration, namely Irinjalakkuda and Kunnankulam. Now the difficulty is, unless there is some definite principle adopted in the growth of towns, it will be impossible at a later date to make improvement because the development would be in such a confused and insanitary way that it would be difficult to deal with them. Another specific difficulty that is confronted in the improvement of the existing towns even under the Municipal Regulations and the rules is this: It is common knowledge that whenever attempts are made to open new roads and grants are solicited from the Government it is said that it is the duty of the Municipality, as far as they can, to get free surrender of lands for the construction of roads. No doubt it is a very salutary principle to be inculcated, but how far is it practical has never been thought of by the Government. Attempts were made to get free surrender of lands and in many cases they were successful also. To quote the instance of Ernakulam I remember that about 5 acres of land have been surrendered free of costs to the Municipality but there is one difficulty which

cannot be surmounted at all. A large number of persons may be found to surrender land, but there may be one or two recalcitrant owners intervening; they will not surrender lands against whom no steps could be taken by the Municipality. When people find that some are allowed to go scot-free from this liability others also become less inclined to make these free surrenders. This is to instance only one point, where the Government has to come to the assistance of the Municipalities in the matter of road construction. All these things can be done if there is legislative sanction for the procedure. Such sanction can be incorporated only in an Act similar to the Town Improvement Acts passed in other places, which is the object of this legislation. I am sorry one Hon'ble Member who would have been in a position to assist and support me in this resolution is absent from his place. I mean the Chief Medical and Sanitary Officer whose opinion would have been very valuable in this matter. With this I move this resolution.

Mr. K. Ayyappan.—I second it.

Dr. A. R. Menon.—I only want to observe that if you are going to distribute money to Ernakulam, don't forget Trichur. You never mentioned a word about other towns. Always forgetfulness so far as Trichur town is concerned. There will be trouble if you forget.

Mr. P. Krishna Menon.—But I mentioned nothing about the distribution of money. When distribution of money comes, Trichur will be remembered.

Dr. A. G. Menon.—Why not Chittur also, Sir?

Mr. A. B. Salem.—This is a far reaching proposition and one that the Government should accept. The Government may very well know that you are having a harbour, and town improvement will be absolutely necessary in Mattancheri, if we are to have a good place to live in, when the harbour comes and begins to work in full. Similarly Ernakulam also will stand to be affected. And unless we have a Town Improvement Act on the lines of the Bombay Act, I don't think our towns will improve in any way for a long, long time to come. A Town Improvement Act will co-ordinate work and will improve the lay out of the towns and will be a self-sufficing movement. In other words, it will be a self-supporting movement. Town improvement pays itself. Out of a large tract of land acquired, a town takes as much as is wanted for the roads, etc., and the balance it apportions to houses. By the sale of the lands for house sites they support themselves, and they even get funds to their credit. We are also having a backbay reclamation, so that this is our position.

Mr. M. K. Raman.—What is the nature of the act?

Mr. A. B. Salem.—You may read in the Town Improvement Act. I threw out the suggestion that it should be based on the Town Improvement Act of Bombay.

Mr. C. J. Mathew.—Is there any Town Improvement Act in Madras?

Mr. A. B. Salem.—There is no Town Improvement Act in Madras. The Trust is brought into existence. It buys the land and sells the land. That is what was practically done here. What did the Government do after acquiring the fore-shore? They took as much land as they wanted and the rest they sold out. Of course, very bad way of doing things, acquiring other people's lands and selling or giving out to somebody else without any necessity. My house was acquired for a public purpose and it was raised to the ground! It has improved the town.

Mr. T. S. Narayana Ayyar.—With regard to the so-called Acts of Bombay and Calcutta, I say, we have not looked into the Acts, what exactly they are and what exactly their scope is. Now with regard to the towns here, take the formation of a new town. It can be easily done. There is no harm. But with regard to the towns already existing, the Municipal Rules and the Municipal Regulation apply. And, if more is required, there is no harm in suggesting rules which can be introduced. It is open to the Members to introduce a bill of their own so that the whole scope of the contemplated law may be well understood.

Mr. P. Krishna Menon.—They are not properly to be included in the Municipal Act. The subject or the principle of that Regulation is got out from the principles underlying the Municipal Regulation.

Mr. T. M. Krishna Menon.—Why not bring in a bill? We had no opportunity of looking into this act or any of the sections. It was received on the 18th of November or so. We had no time. I sent my report saying that I have not seen the Act. That is the report that I had to submit. Others also might have made the same report.

Mr. C. A. Kunjunni Raja.—Both sides have not seen the act.

Mr. T. M. Krishna Menon.—Without knowing the scope of the legislation what can we do?

Dr. A. G. Menon.—The mover himself has not seen the Act.

Mr. P. Krishna Menon.—When I bring a bill you will say, why don't you bring a resolution? I have not the slightest objection to withdraw this and bring a bill.

The resolution was withdrawn with the leave of the House.